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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,758	08/02/2001	Hiroaki Onishi	10921.99USWO	7944

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Hamre Schumann Mueller & Larson PC
P O Box 2902-0902
Minneapolis, MN 55402

EXAMINER	
WORKU, NEGUSSIE	
ART UNIT	PAPER NUMBER
2625	
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08/01/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/890,758	ONISHI ET AL.	
	Examiner	Art Unit	
	NEGUSSIE WORKU	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1,3 and 5-14* is/are allowed.

6)☒ Claim(s) *15-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *08/02/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments see applicant's response, filed on 04/17/08/, with respect to the rejection(s) of claim(s) 1, 3, 5-14, have been fully considered and are persuasive, and therefore claims are allowed. Applicant's arguments with respect to claims 15-19, have been considered but they are not persuasive, and therefore, the rejection has maintained and a response to applicant's arguments are with regard to rejected claims area discussed as indicted below:

Regarding claims ,15-19, the Applicant alleged that the combination of the cited prior arts fails to show or suggest, the claimed subject matter of 15 and 16. In response, the Examiner respectfully disagrees because the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In this case, the Examiner asserts that the combination of the cited reference when considered as a whole clearly teaches that as discussed in claims 15 and 16 are well-known in the art at the time of the invention was made.

In particular, Siato '162 in view of Kurata '999' clearly suggested the advantage of combining the references. In view of the above, having the system of Saito and then given the well- established teaching of Kurata, the Examiner asserts that it would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the references for the purpose of, it would have help a user to have a device that do not cause a vibration during the movement of the scanner, to avoid a blur on the image to be read due to a shake case by the moving mechanism.

For the above reasons, the Examiner asserts that the combination of Saito '162' '829 and Kurata '999' does in fact show the present claimed invention is known to ordinary skilled in the art at the time of the invention was made, thus, the rejections are maintained as fallows:

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 15-19 are rejected under 35 U.S.C. 103(a), as being unpatentable over Saito USPN 6,343,162 in view of Kurara et al. USPN 4,518,999.

With respect to claim 15, Saito et al. teaches an image sensor (contact image senor of fig 1), transparent cover I of fig 10 for image sensor, (12 of fig 2A) comprising a transparent main body of a synthetic resin, and a transparent glass member (1 of fig 1), the groove having at least a longitudinal end portion provided with a nontransparent region (col.1, lines 7-15).

Saito fails to teach a groove formed in a surface of the transparent main body. Kurata et al (999) in the same area of image reading apparatus teaches a groove formed in a surface of the transparent main body, (.FIG. 3 illustrates the groove 22 of fig 3, is provided by a through hole formed on the platen of fig 3, at a front end portion of a transparent platen 21, the platen 21 is formed with an elongated groove 22 extending in the Y-direction (main scanning direction) in the upper surface and at the front end portion thereof, as discussed in col.2, lines 55-65).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus Saito (162) to include: wherein the transparent main body has a groove corresponding to the image reading region, to place the transparent glass member being placed in the groove.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Saito by the teaching of (Kurata (999), it would have help a user to have a device that do not cause a vibration during the movement of the scanner, to avoid a blur on the image to be read due to a shake case by the moving mechanism.

With respect to claim 16, Saito et al. teaches a transparent cover for image sensor (fig 1) comprising a transparent main body of a synthetic resin, (transparent cover 1 of fig 1, made up of resin) and a transparent glass member (1 of fig 1) placed in, the transparent main body (frame 9 of fig 1) and the transparent glass member (1 of fig 10 each having a surface flush with each other and providing the first surface).

Saito fails to teach a groove formed in a surface of the transparent main body. Kurata et al (899) in the same area of image reading apparatus teaches a groove formed in a surface of the transparent main body, (.FIG. 3 illustrates the groove 22 of fig 3, is provided by a through hole formed on the platen of fig 3, at a front end portion of a transparent platen 21, the platen 21 is formed with an elongated groove 22 extending in the Y-direction (main scanning direction) in the upper surface and at the front end portion thereof, as discussed in col.2, lines 55-65).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus Saito (162) to include: wherein the transparent main body has a groove corresponding to the image reading region, to place the transparent glass member being placed in the groove.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Saito by the teaching of (Kurata (899), it would have help a user to have a device that do not cause a vibration during the movement of the scanner, to avoid a blur on the image to be read due to a shake case by the moving mechanism.

With respect to claim 17, Saito et al. teaches an image sensor (contact image senor of fig 1), further comprising a nontransparent region provided at least at one longitudinal end portion of the groove (transparent cover 1 of fig 1, provides a longitudinal position, as shown in fig 1).

With respect to claim 18, Saito et al. teaches an image sensor (contact image senor of fig 1), further comprising a case covered by the transparent cover, (frame 1 of fig 1, including image sensor and light source, covered by transparent cover 1 of fig 1, col.1, lines 7-35) the case enclosing the light source and the plurality of light receiving elements (transparent cover 1 of fig 1, enclosing the light source 3 and plurality of image sensor 12 of fig 2a. col.4, lines 7-40).

With respect to claim 19, Saito et al. teaches an image sensor (contact image senor of fig 1), further comprising a case covered by the transparent cover, (transparent cover 1 of fig 1) the case enclosing the light source and the plurality of light receiving elements (transparent cover 1 of fig 1, enclosing the light source 3 and plurality of image sensor 12 of fig 2a. col.4, lines 7-40).

Allowable Subject Matter

4. Claims 1, 3, 5-14 are allowed.

5. In response to the non-final office action, dated 10/31/07, further in view of applicant's amendments filed on 04/30/08, the application has been carefully reviewed and respectfully considered.

Applicant's remarks, discussed in page 5-7, have been found persuasive, and the rejection has been withdrawn, and therefore, independent claims 1 and 5, including claims depend on therefrom are also allowed, for the reasons the prior art searched and of record neither anticipates nor suggests the claimed invention as amended.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Examiner, Art Unit 2625

/Edward L. Coles/

Supervisory Patent Examiner, Art Unit 2625